



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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9/16/02
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SEP 11 2002

In re application of:

Regime HELIBRONN

Examiner: Alireza Saatchi TECH CENTER 1600/2900

Serial Number: 09/720,252

Art Unit: 1648

Filed: April 12, 2001

Atty. Docket No. 100564-00044

For: RECOMBINANT HERPES VIRUSES FOR PREPARING RECOMBINANT ADENO-ASSOCIATED VIRUSES

SUPPLEMENTAL AMENDMENT

Commissioner of Patent
Washington, D.C. 20231

September 10, 2002

Sir:

IN THE CLAIMS:

Cancel claims 1 and 14 and replace with the following new claims:

Rule 1.26
B1
~~30. 29.~~ A recombinant herpesvirus, which contains a rep and a cap gene derived from adeno-associated viruses (AAVs) and operatively linked to an expression control sequence, with the rep gene and the cap gene being located on an insert which is integrated in the genome of the herpes virus.

sub C1
~~31. 30.~~ A nucleic acid which comprises the helper functions of a herpesvirus genome which are required for replicating AAV viruses and, inserted therein, a rep gene and a cap gene derived from adeno-associated viruses (AAVs), in each case operatively linked to an expression control sequence, with the rep gene and the cap gene being located on an insert which is integrated in the genome of the herpes virus.